

SIXTH DAY.

SENATE CHAMBER, }
AUSTIN, TEXAS, January 17, 1887. }

The Senate met pursuant to adjournment,
Lieutenant Governor Gibbs in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot.

On motion of Senator Stinson,

The reading of the Journal of Saturday was dispensed with.

On motion of Senator Bell,

Senator Harrison was excused for to-day, on account of important business.

PETITIONS AND MEMORIALS.

By Senator Woodward:

Petition of citizens of Karnes county, praying for the enactment of a law restoring civil and criminal jurisdiction to the county court of said county.

Referred to Judiciary Committee No. 1.

By Senator Calhoun:

Memorials from citizens of Eastland county and county commissioners' court of Stephens county, asking relief for drouth sufferers.

Referred to Special Drouth Relief Committee.

By Senator Claiborne:

Memorial from committee of colored teachers, asking for the establishing of a mechanical and industrial college for colored youths.

Referred to Committee on Education.

COMMITTEE REPORTS.

By Senator Frank:

COMMITTEE ROOM, }
AUSTIN, January 17, 1887. }

Hon. Barnett Gibbs, President of the Senate:

Sir—Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 5, being "An act to amend Article 1653 of title 33 of the Revised Civil Statutes of the State of Texas," and find the same correctly engrossed.

FRANK, chairman.

BILLS AND RESOLUTIONS.

By Senator Stinson:

A bill to be entitled "An act to amend Article 182 of the Revised Civil Statutes of the State of Texas."

Referred to Judiciary Committee No. 1.

Senator Claiborne offered the following resolution, which was,

On motion of Senator Houston,

Referred to Committee on Rules.

Resolved by the Senate, the House concurring, That there be created a joint committee on constitutional amendments, four of whom shall be appointed by the President of the Senate and five by the Speaker of the House, and to said committee shall be referred all joint resolutions proposing amendments to the Constitution of the State of Texas.

By Senator Woodward:

A bill to be entitled "An act creating boards of equalization for cities and towns, and defining their duties."

Referred to Judiciary Committee No. 1.

By Senator Houston:

A bill to be entitled "An act to prevent the unauthorized enclosure of land, and to make the maintenance of existing unauthorized enclosures of such penal."

Referred to Judiciary Committee No. 2.

And a bill to be entitled "An act to provide for the sale of all lands heretofore or hereafter surveyed and set apart for the common school, University, Blind, Deaf and Dumb, Lunatic and Orphan asylum funds of the State of Texas, and to repeal all laws in conflict herewith."

Referred to Committee on Public Land.

By Senator Bell:

A bill to be entitled "An act to amend Article 1161, title 28, chapter 4, of the Revised Civil Statutes of the State of Texas."

Referred to Judiciary Committee No. 1.

And a bill to be entitled "An act to amend Articles 1719, 1720, 1721, 1723, 1723, 1731, 1743, 1744 and 1752."

Referred to Judiciary Committee No. 1.

By Senator Burney:

A bill to be entitled "An act to amend Article 605, chapter 2, title 8, of the Code of the Criminal Procedure for Texas."

Referred to Judiciary Committee No. 2.

And a bill to be entitled "An act to amend Article 191, chapter 2, title 9, of the Revised Civil Statutes of the State of Texas."

Referred to Judiciary Committee No. 1.

By Senator Calhoun:

"An act to validate the official acts of Wm. Veall, a notary public of Stephens county, and to permit him to file the bond and oath required by law of notaries."

Referred to Judiciary Committee No. 1.

By Senator Gregg:

A bill to be entitled "An act to amend Article 156, chapter 1, title 9, of the Revised Civil Statutes of the State of Texas."

Referred to Judiciary Committee No. 1.

And a bill to be entitled "An act to amend Article 4489 and Article 4492, title 90, of the Revised Statutes of Texas."

Referred to Judiciary Committee No. 1.

By Senator MacManus:

A bill to be entitled "An act to protect stockraisers; providing for the destruction of wolves," etc.

Referred to Committee on Stock and Stockraising.

Senator Pope offered the following resolution:

Resolved, That the Senators do hereby agree to contribute one day's per diem each to the sufferers in the drought stricken districts of this State, each Senator to deposit the same with the Treasurer of the State when his warrant is cashed.

Senator Terrell raised the point of order that as the Senate had no authority to enforce such a resolution, that it was out of order.

Point of order was sustained, whereupon

Senator Pope appealed from the decision of the chair.

The ruling of the President was sustained by the following vote:

YEAS—21.

Abercrombie,	Garrison,
Armistead,	Gregg,
Bell,	Knittle,
Burney,	Lane,
Calhoun,	MacManus,
Camp,	Stinson,
Claiborne,	Terrell,
Davis,	Upshaw,
Douglass of J,	Woods,
Douglass of G,	Woodward.
Field,	

NAYS—3.

Frank,	Pope.
Jarvis,	

ABSENT—5.

Burges,	McDonald,
Glasscock,	Simkins.
Houston,	

Senator Stinson offered the following resolution, which,

On motion of Senator Abercrombie, Was postponed for action till Wednesday next, after morning call:

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That there be raised a joint committee, consisting of three from the Senate, to be appointed by the President thereof, and five from the House, to be appointed by the Speaker thereof, whose duty it shall be to visit the Agricultural and Mechanical College, State Normal Schools at Huntsville and Prairie View as soon as practicable during the session of this Legislature, and report the condition of said schools to the respective branches of the Legislature.

A message was received from the House informing the Senate that the House had concurred in the Senate amendment to substitute House bill No. 4. "An act making an appropriation for the mileage and per diem pay of officers and employes of the Twentieth Legislature."

And also the passage of concurrent resolution No. 3, relative to the right of way across the Indian Territory for the Chicago, Rock Island and Pacific Railway Company.

By Senator Douglass of Grayson:

A bill to be entitled "An act to amend Article 678, chapter 3, title 17, of the Penal Code."

Referred to Judiciary Committee No. 2.

Having concluded the morning call,

The Senate went into executive session on the appointments made by the Governor.

EXECUTIVE SESSION.

(Senator Upshaw in the chair.)

The Senate advised and consented to all the appointments contained in the Governor's message of Saturday, and having so done, arose.

IN THE SENATE.

(The President in the chair.)

By leave, Senator Bell sent up the following report:

COMMITTEE ROOM, }

AUSTIN, January 17, 1887. }

Hon. Barnett Gibbs, President of the Senate:

Sir—Your Judiciary Committee No. 2, to whom was referred Senate bill No. 37, have instruct-

ed me to report the same back with the recommendation that it be referred to the Committee on Private Land Claims. FRANK, chairman.

Bill referred to Committee on Private Land Claims.

By Senator Houston, by leave:

"Senate joint resolution amending section 12, of Article 8, of the State Constitution."

Referred to Committee on Constitutional Amendments.

House concurrent resolution No. 3 was taken up and read.

Senator Claiborne moved its adoption.

Senator Terrell offered the following amendment:

Amend by striking out the word "instructed" and inserting the word "requested," and change other wording to conform thereto.

Senator Houston moved the previous question on the amendment and resolution.

Seconded, and main question ordered.

The amendment was lost by the following vote:

YEAS—7.

Burney,	Upshaw,
Calhoun,	Woods,
Glascock,	Woodward.
Terrell,	

NAYS—22.

Abercrombie,	Garrison,
Armistead,	Gregg,
Bell,	Houston,
Burges,	Jarvis,
Camp,	Knittle,
Claiborne,	Lane,
Davis,	McDonald,
Douglass of J,	MacManus,
Douglass of G,	Pope,
Field,	Simkins,
Frank,	Stinson.

The resolution was adopted.

Senator Houston offered the following resolution:

Be it resolved, That the Seargent at Arms of the Senate be and is hereby instructed to procure and pay for ice for the use of the Senate out of the contingent fund appropriated for the expenses of the Twentieth Legislature.

On motion of Senator Pope,

The resolution was referred to the Committee on Rules.

(Senator Houston in the chair).

Senator Claiborne called up the report of the committee on the Wheelless proposition on stenography etc., and the report and resolution were read.

Senator Pope offered the following amendment:

Amend by the following proviso:

Provided that nothing herein shall allow the publishing of any speech made by Senators.

Senator Burney moved to table the amendment.

Senator Stinson moved the previous question on the amendment and the resolution.

Seconded, and main question ordered.

The motion to table was lost by the following vote:

YEAS—5.

Burney,	Glascock,
Calhoun,	Terrell.
Claiborne,	

NAYS—22.

Abercrombie,	Jarvis,
Armistead,	Knittle,
Bell,	Lane,
Burges,	McDonald,
Camp,	MacManus,
Davis,	Pope,
Douglass of J.,	Simkins,
Douglass of G.,	Stinson,
Frank,	Upshaw,
Gregg,	Woods,
Houston,	Woodward.

ABSENT—2.

Field,	Garrison.
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The amendment was adopted.

The resolution as amended was lost by the following vote:

YEAS—2

Pope,	Woodward.
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NAYS—27

Abercrombie,	Glascock,
Armistead,	Gregg,
Bell,	Houston,
Burges,	Jarvis,
Burney,	Knittle,
Calhoun,	Lane,
Camp,	McDonald,
Claiborne,	MacManus,
Davis,	Simkins,
Douglass of J,	Stinson,
Douglass of G,	Terrell,
Field,	Upshaw,
Frank,	Woods.
Garrison,	

Senator Woodward moved to reconsider the motion just taken.

Senator Bell moved to lay the motion on the table.

The motion to table was adopted by the following vote:

YEAS—16.

Armistead,	Houston,
Bell,	Jarvis,
Camp,	Kriddle,
Davis,	McDonald,
Douglass of G,	MacManus,
Field,	Terrell,
Frank,	Upshaw,
Garrison,	Woods.

NAYS—12.

Burges,	Gregg,
Burney,	Lane,
Calhoun,	Pope,
Claiborne,	Simkins,
Douglass of J,	Stinson,
Glasscock,	Woodward.

ABSENT—1.

Abercrombie.

Senator Frank offered the following resolution:

Resolved, That four hundred and ten copies of the Senate Journal be ordered printed each day for the use of the Senators, and

Resolved, second, That it shall be the duty of the Sergeant-at-Arms to equally distribute the printed Journals among the Senators each morning before the Senate convenes.

Adopted.

Senator Douglas moved to reconsider the vote by which the resolution to have ice was referred to the Committee on Rules.

Carried, and

The resolution was adopted.

On motion of Senator Stinson,

Senator Burges was excused from serving on the Committee on Public Buildings and Grounds, and

Senator Camp was added to said committee

Senator Simkins, by leave, made the following committee report, which,

On motion of Senator Pope, was adopted:

The joint committee of arrangements beg leave to make the following report of the arrangements made by the joint committee on arrangements for the inaugural ceremonies:

1. The Governor and Lieutenant Governor, accompanied by the Hon. A. S. Walker, district judge, and the Adjutant General, the committee of arrangements and the escort of citizen soldiery, under the command of Colonel Smythe, second militia, will proceed to the Driskill House, and there being joined by the Governor and Lieutenant Governor-elect, will return in the following order:

1. The Governor and Lieutenant Governor and the Governor and Lieutenant Governor elect.

2. The Adjutant General, Judge A. S. Walker and chairmen of the joint committee.

3. The committee of arrangements.

4. The military.

On reaching the capitol the procession will move to the door of the Hall of Representatives, where the Governor and Lieutenant Governor and the Governor and Lieutenant Governor elect will be received by the honorable Senate and House of Representatives in joint session assembled, where the oath of office will be administered by Judge A. S. Walker.

SIMKINS,

For Senate committee.

BELL,

For House committee.

On motion of Senator Lane,

The Senate adjourned till 10 o'clock to-morrow.

SEVENTH DAY.

SENATE CHAMBER,
AUSTIN, JANUARY, 18, 1887. }

The Senate met pursuant to adjournment.

Lieutenant Governor Gibbs in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot.

On motion of Senator Houston, the reading of the Journal of yesterday was dispensed with.

On motion of Senator Houston, Senator Stinson was excused to day.

The President gave notice of signing S. H. B. No. 4, entitled "An act making an appropriation to pay the mileage and per diem pay of members, and per diem pay of officers and employes of the Twentieth Legislature."

PETITIONS AND MEMORIALS.

By Senator Jarvis:

Memorial from Farmers Alliance of Parker county, asking relief for drouth sufferers.

Referred to special Drouth Relief Committee.

Senator Terrell submitted the following reports:

COMMITTEE ROOM, }

AUSTIN, TEXAS, January 17, 1887. }

Hon. Barnett Gibbs, President of the Senate:

Your Judiciary Committee No. 1, to which was referred Senate bill No. 18, have carefully considered the same and instruct me to report the same back with the recommendation that it do pass.